

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 28, 1977.

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The meeting was called to order at 1:00 P. M. by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN, COCKRELL; Absent: NONE.

77-41 The invocation was given by Dr. Daniel Rivera, Mexican Baptist Bible Institute.

77-41 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

77-41 The minutes of the Meeting of July 21, 1977, were approved.

77-41 POLICE CHIEF EMIL PETERS

Mayor Cockrell invited Police Chief Emil Peters to the podium. She then read a letter received from the Department of the Treasury which read as follows:

To Chief Emil Peters
San Antonio Police Department

Dear Chief Peters:

On behalf of the United States Secret Service I am pleased to extend our many thanks for the invaluable assistance and cooperation you have provided our organization while serving as Chief of the San Antonio Police Department. Maurice Miller, our Special Agent in charge in San Antonio has told me that you have supported the Secret Service over the years in connection with both our protective and investigative responsibilities.

I understand that without your assistance, particularly during the 1976 presidential campaign it would have been most difficult, if not impossible, for us to fulfill our missions.

In recognition of your exceptional cooperation, I am pleased to present to you our highest award--The Director's Honor Award--and extend to you my personal gratitude and best wishes for continued success in the future.

Sincerely,

/s/ H. S. McKnight
Director

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Mayor Cockrell then presented Chief Peters with a plaque from the Secret Service and extended best wishes to him. Members of the Council joined Mayor Cockrell in congratulating Chief Peters.

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77-41

The Clerk read the following Ordinance:

AN ORDINANCE 48,297

REGULATING THE EXTENSION POLICIES, RULES
AND REGULATIONS FOR ELECTRIC AND GAS
SERVICE THROUGH THE SAN ANTONIO ELECTRIC
AND GAS SYSTEMS OPERATED BY THE CITY
PUBLIC SERVICE BOARD OF SAN ANTONIO.

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Mr. Jack Spruce, General Manager of the City Public Service Board, explained that these rules and regulations had been under review a long time and just last month this Council had gone into a detailed review of them. All of the governing bodies in the County will have to approve these regulations and their implementation will be held up until they have been presented for approval.

Representing C.O.P.S. and speaking in favor of the Ordinance were Tony Ibarra, Father Rufus Whitley and Beatrice Gallego.

After consideration, on motion of Mr. Eureste, seconded by Dr. Cisneros, the Ordinance was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

77-41

The Clerk read the following Ordinance:

AN ORDINANCE 48,298

AMENDING CHAPTER 17, (GARBAGE, TRASH AND WEEDS) OF THE CITY CODE OF THE CITY OF SAN ANTONIO SO AS TO CHANGE CERTAIN DEFINITIONS AND ADD OTHER DEFINITIONS; AMENDING ARTICLE III OF SAID CHAPTER (ABATEMENT OF NUISANCES) SO AS TO REVISE THE STANDARDS FOR KEEPING PROPERTIES IN THE CITY FREE AND CLEAR OF UNCULTIVATED, RANK, UNSIGHTLY PLANT LIFE AND TRASH (WEEDS, BRUSH, AND RUBBISH); PROVIDING FOR NOTICES TO BE GIVEN TO OWNERS OR OCCUPANTS OF PROPERTIES NOT MEETING THE ESTABLISHED STANDARDS AND MAKING IT A CRIMINAL OFFENSE FOR A PERSON RECEIVING SUCH A NOTICE NOT TO CORRECT THE SITUATION WITHIN TEN DAYS AFTER RECEIPT OF SUCH NOTICE; ESTABLISHING A FINE FOR VIOLATION HEREOF OF NOT LESS THAN \$35.00 NOR MORE THAN \$200.00 UPON CONVICTION, AND A FINE OF NOT LESS THAN \$75.00 NOR MORE THAN \$200.00 FOR THE SECOND OR SUBSEQUENT CONVICTION FOR VIOLATION HEREOF WITHIN ANY TWELVE MONTH PERIOD; FINDING AND DECLARING THAT PROPERTIES NOT MEETING THE ESTABLISHED STANDARDS ARE A FIRE HAZARD (PARTICULARLY IN THE WINTER SEASON), A HEALTH HAZARD, AND A PUBLIC NUISANCE DEPRECIATING THE VALUES OF SURROUNDING PROPERTY AND BUILDINGS; PROVIDING THAT IF THE RECIPIENT OF ANY SUCH NOTICE SHALL FAIL TO REMEDY AND ABATE THE NUISANCE WITHIN TEN DAYS, THE CITY SHALL HAVE THE OPTION TO ENTER THE PROPERTY AND CORRECT THE PROBLEM USING ITS OWN CREWS OR A CITY CONTRACTOR AND TO CHARGE THE OWNER FOR THE COSTS INVOLVED; PROVIDING THAT IN THE CASE OF NON-PAYMENT OF SUCH COST, THE CITY MAY FILE A LIEN IN THE DEED RECORDS OF BEXAR COUNTY FOR THE COST INCURRED, WHICH SHALL CONSTITUTE A LEGAL ENCUMBRANCE AGAINST SUCH PROPERTY, WITH INTEREST ACCRUING THEREON AT

A RATE OF 10% PER YEAR; REQUIRING THE HEALTH DEPARTMENT TO MAINTAIN A LIST OF MOWING AND LAND CLEARING CONTRACTORS TO BE SUPPLIED TO RECIPIENTS OF VIOLATION NOTICES HEREUNDER; GRANTING ANY AFFECTED PROPERTY OWNER THE RIGHT TO A PUBLIC HEARING BEFORE THE CITY COUNCIL DURING THE PENDENCY OF SUCH PROCESS; AND PROVIDING FOR SEVERABILITY.

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Mr. Leonard Anguiano, representing C.O.P.S., requested the Council pass this Ordinance as C.O.P.S. had been working with the City staff for several months getting it to the point that it is now. He then spoke of the delays in Municipal Court getting cases prosecuted and said that some means are going to have to be changed to get the Municipal Court Judges to expedite the handling of these cases.

City Attorney Jim Parker said that the Council could discuss the matter with the Municipal Judges and advise them of the Council's feelings in this matter.

There was considerable discussion concerning the possible way to meet with the Municipal Judges, and it was finally agreed to meet with them in open session and discuss this Ordinance.

After discussion, on motion of Mrs. Dutmer, seconded by Mr. Euredsted, the Ordinance was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

77-41 The Clerk read the following Ordinance:

AN ORDINANCE 48,299

AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR LEASE OF SPACE IN THE PLAZA DE ARMAS OFFICE BUILDING FOR USE AS CITY OFFICES.

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Mrs. Mary Ann Castleberry, President of the San Antonio Conservation Society, congratulated the Council for setting the example and leasing space in the Vogel Belt Building.

After consideration, on motion of Mr. Steen, seconded by Mr. Hartman, the Ordinance was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Wing, Alderete, Pyndus.

77-41 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Wing, Alderete, Pyndus.

AN ORDINANCE 48,300

APPROPRIATING ADDITIONAL FUNDS FROM THE UNAPPROPRIATED FUND BALANCE IN CERTAIN FUNDS TO VARIOUS ACCOUNTS THEREIN AND AUTHORIZING PAYMENT THEREOF TO COVER INCREASED REQUIREMENTS DURING THE 1976-77 FISCAL YEAR.

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77-41 The Clerk read the following Ordinance:

AN ORDINANCE 48,301

AUTHORIZING THE DISCONTINUANCE OF CERTAIN PUBLIC IMPROVEMENT PROJECTS AND AUTHORIZING THE REVERSION OF THE UNENCUMBERED APPROPRIATIONS THEREFOR TO THE GENERAL FUND SURPLUS; FURTHER AUTHORIZING THAT THE APPROPRIATIONS FOR CERTAIN OTHER PUBLIC IMPROVEMENT PROJECTS REMAIN IN FORCE UNTIL SAID PROJECTS ARE COMPLETED OR ABANDONED.

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Mr. Hartman said that it did not seem right simply to drop the 1970 Bond Projects as they had been voted on by the people even though all of the Bond Funds were spent. He felt that the Council should be advised of the progress of these Projects and told beforehand when one is being considered to be dropped.

The Council discussed this matter, and it was agreed to ask staff to keep the Council informed on these matters.

Mr. Eureste said that he wanted to know what was going on at the present time with the discussion of the Capital Improvements Projects by the Planning Commission. He said that his constituents ask questions about this, and he is unable to answer them.

Mayor Cockrell requested copies of the Planning Commission minutes be included in the Council packet each week.

After discussion, on motion of Mr. Pyndus, seconded by Mr. Steen, the Ordinance was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Ortiz.

77-41 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 48,302

AUTHORIZING THE REMAINING BALANCE IN GENERAL FUND BUDGETARY ACCOUNT NUMBER 85-01-01, TRANSIT SYSTEM SUBSIDY, TO BE CARRIED FORWARD INTO FISCAL YEAR 1977/78 TO PROVIDE FUNDS FOR THE CITY'S MATCHING SHARE REQUIRED FOR PURCHASE OF NEW BUSES AND OTHER CAPITAL IMPROVEMENTS OF THE TRANSIT SYSTEM.

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AN ORDINANCE 48,303

TRANSFERRING THE UNEXPENDED BALANCE IN THE DEBT SERVICE FUND HELD FOR RETIREMENT OF PRINCIPAL AND INTEREST OF GENERAL IMPROVEMENT BONDS SERIES 1956A WHICH HAVE BEEN FULLY RETIRED TO THE DEBT SERVICE ACCOUNT FOR RETIREMENT OF PRINCIPAL AND INTEREST OF GENERAL IMPROVEMENTS BONDS - SERIES 1957.

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77-41 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Hartman.

AN ORDINANCE 48,304

APPROPRIATING THE SUM OF \$101,565.00 IN THE DEVELOPER CUSTOMER SEWER CONNECTION FUND AND AUTHORIZING ALLOCATION OF SAID AMOUNT THEREIN TO PROVIDE FUNDS FOR EXPENDITURES SPENT BY THE CITY IN 1976/77 IN DEVELOPER CUSTOMER SEWER CONNECTION PROJECTS.

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AN ORDINANCE 48,305

APPROPRIATING FUNDS OUT OF VARIOUS FUNDS TO REIMBURSE THE GENERAL FUND FOR EXPENSES INCURRED BY THE RIGHT-OF-WAY DEPARTMENT AND ENGINEERING DIVISION IN CONNECTION WITH VARIOUS PROJECTS DURING THE 1976-77 FISCAL YEAR.

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77-41 The Clerk read the following Ordinance:

AN ORDINANCE 48,306

AUTHORIZING THE DIRECTOR OF FINANCE TO WRITE OFF CERTAIN ACCOUNT RECEIVABLES WHICH ARE PAST DUE AND DEEMED UNCOLLECTIBLE.

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Mr. Pyndus asked about a \$7,000 item being charged off for the Republic of Mexico.

Mr. Carl White, Director of Finance, explained that under an existing contract with the Republic of Mexico, certain work done at the University of Mexico area in HemisFair Plaza was accomplished. Some of this was for labor and materials; but all of the items could not be accounted for, that is the amount that is being charged off. He assured the Council that all of the required work had been done.

Mrs. Dutmer asked what the \$300 item for VOICE was.

Mr. Pyndus said that some time ago VOICE was combatting vandalism in the Lackland area by patrolling in their personal cars. They had asked for a grant from the Texas Criminal Justice Council and the \$300 was to have been used to tide them over until the grant was received. The Criminal Justice Council said that they could not reimburse the \$300 because it had been spent before the grant was authorized. Therefore, the \$300 was being charged off because of the inability of VOICE to repay it.

Mr. Pyndus assured the Council that the \$300 was very well spent.

On motion of Mr. Steen, seconded by Mr. Euredted, the Ordinance was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Ortiz.

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77-41 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Ortiz.

AN ORDINANCE 48,307

RESCINDING THE APPROPRIATION FROM 1970 DRAINAGE IMPROVEMENT G. O. BOND FUNDS OF \$160,000 MADE PREVIOUSLY IN ORDINANCE NO. 48119 PASSED ON JUNE 9, 1977 FOR PAYMENT TO THE SAN ANTONIO RIVER AUTHORITY TO BE HELD IN ESCROW FOR PAYMENT OF THE COST OF UTILITY RELOCATION IN THE MARTINEZ CREEK EAST FORK UNIT 6-1 CHANNEL IMPROVEMENT PROJECT BEING PERFORMED BY THE U. S. CORPS OF ENGINEERS.

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AN ORDINANCE 48,308

ADJUSTING THE DISTRIBUTION OF THE TAX LEVY FOR THE YEAR BEGINNING JUNE 1, 1976 AND ENDED MAY 31, 1977 BETWEEN THE GENERAL FUND AND THE DEBT SERVICE FUND AND AMENDING THE PREVIOUS DISTRIBUTION SET IN ORDINANCE NO. 47745.

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77-41 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 48,309

AUTHORIZING TRANSFER OF APPROPRIATIONS TO VARIOUS SEWER CONSTRUCTION PROJECTS AND EXPENDITURES AND ENCUMBRANCES AGAINST SAME FROM THE 1970 GENERAL OBLIGATION SEWER BONDS FUND TO SEWER REVENUE BOND FUND AND AUTHORIZING TRANSFER OF THE UNEXPENDED BALANCE IN THE 1970 GENERAL OBLIGATION SEWER BONDS FUND TO THE GENERAL OBLIGATION DEBT SERVICE FUND FOR PAYMENT OF DEBT SERVICE REQUIREMENTS OF THE G. O. SEWER BONDS.

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AN ORDINANCE 48,310

AUTHORIZING THE REFUND OF THE SUM OF \$9,373.98 IN 1976 TAX PAYMENTS.
(Trammell Crow Assoc. Companies)

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AN ORDINANCE 48,311

AUTHORIZING THE REFUND OF THE SUM OF \$3,884.25 IN 1976 TAX PAYMENTS.
(P & M Products, Inc.)

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AN ORDINANCE 48,312

AUTHORIZING THE WRITE-OFF OF TAX ACCRUALS
RECEIVABLE TOTALING \$188,540.18.

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77-41 The Clerk read the following Ordinance:

AN ORDINANCE 48,313

ACCEPTING A GIFT OF \$250 FROM THE SAINT LOUIS
CATHOLIC CHURCH OF CASTROVILLE, TEXAS UNDER
ITS OUTREACH PROGRAM FOR USE IN SERVING THE
NEEDY POOR AT THE HEALTH DEPARTMENT'S MIRASOL
CLINIC.

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The Council expressed their appreciation for the donation
made by the St. Louis Catholic Church.

Mayor Cockrell was asked to issue a Citation of Appreciation
to the Church.

On motion of Mr. Webb, seconded by Mr. Hartman, the Ordinance
was passed and approved by the following vote: AYES: Webb, Dutmer,
Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell;
NAYS: None; ABSENT: Cisneros.

77-41 The following Ordinances were read by the Clerk and after
consideration, on motion made and duly seconded, were passed and
approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste,
Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None;
ABSENT: Cisneros.

AN ORDINANCE 48,314

REVISING CERTAIN FEES AND RATES CHARGED FOR
PLAY ON MUNICIPAL GOLF COURSES AND CERTAIN
FEES CHARGED FOR CITY CEMETERIES SERVICES;
AND ESTABLISHING RENTAL FEES FOR CITY OWNED
ELECTRIC GOLF CARTS USED ON MUNICIPAL GOLF
COURSES.

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AN ORDINANCE 48,315

EXTENDING FOR A THREE YEAR PERIOD THE CURRENT
CONTRACT WITH R. E. YARBOROUGH AND COMPANY
FOR THE TERRESTRIALSCOPE CONCESSION CONTRACT
AT INTERNATIONAL AIRPORT AND SUNKEN GARDEN.

* * * *

AN ORDINANCE 48,316

ESTABLISHING A DATE FOR A PUBLIC HEARING TO
BE HELD BY THE CITY COUNCIL CONCERNING THE
REPROGRAMMING OF 1ST AND 2ND YEAR COMMUNITY
DEVELOPMENT ACT FUNDS TO NEW OR DIFFERENT
ACTIVITIES ELIGIBLE FOR FUNDING UNDER THE
PROVISIONS OF TITLE I OF THE HOUSING AND
COMMUNITY DEVELOPMENT ACT OF 1974, IN THE
AMOUNT OF \$254,396.00.

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77-41 The Clerk read a proposed resolution recommending that the City Council formally oppose the development of motor pools by the Government Services Administration (SGA) and the Navy Department on the federally-owned property bounded by Sheridan (N), S. Flores (W), S. Main (E) and Guenther (S).

Mayor Cockrell suggested that this item be postponed for one week as she felt that it would be proper to allow the Government Services Administration and the Navy Department an opportunity to outline their plans to the City Council.

After discussion, the Council concurred and the resolution was postponed one week.

77-41 PRESENTATION BY THE DIRECTOR OF PUBLIC WORKS ON WOODS OF SHAVANO SUBDIVISION UNIT 10 WHICH IS LOCATED OVER THE EDWARDS RECHARGE ZONE.

Mr. Mel Sueltenfuss, Director of Public Works, explained that this plat is being presented to the Council for their information. It has met all the requirements of the Texas Water Quality Board and all the subdivision regulations.

The Council took note of the presentation.

77-41 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS:None; ABSENT: Cisneros.

AN ORDINANCE 48,317

ACCEPTING THE LOW QUALIFIED BID OF UTILITIES CONSOLIDATED, INC., IN THE AMOUNT OF \$191,658.00 FOR QUINTANA ROAD SANITARY SEWER PROJECT; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT FOR THE PROJECT; AND APPROPRIATING OUT OF FUND 52-006 THE SUM OF \$191,658.00 PAYABLE TO THE CONTRACTOR AND \$9,582.00 FOR CONTINGENT CONSTRUCTION EXPENSES.

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77-41 The Clerk read the following Ordinance:

AN ORDINANCE 48,318

MAKING AND MANIFESTING A CONTRACT WITH PARK T. BENNETT FOR PROFESSIONAL SERVICES AS A RIGHT-OF-WAY AGENT IN CONNECTION WITH VARIOUS CITY RIGHT-OF-WAY AND REAL ESTATE PROJECTS FOR A FEE OF \$1,155.00 PER MONTH, PLUS \$60.00 CAR ALLOWANCE.

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Mr. Steen moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

Mr. Eureste asked why it was necessary to hire outsiders to handle this appraisal work. He felt that the work could better be handled by regular City employees.

Mr. Sandy Clark, Chief, Land Division, said that Mr. Park Bennett has been a City employee for many years and is highly experienced in this appraisal work. He has passed the mandatory retirement

age, and the City had employed him on an annual basis by contract. He urged that the Ordinance be approved.

Mr. Pyndus asked that this item be pulled in order that questions asked by Councilman Eureste can be fully answered. Mr. Euredsted seconded the motion.

Mr. Steen stated that Mr. Bennett is highly experienced and spoke of the benefits in keeping him on the City payroll. Mrs. Dutmer also spoke of Mr. Bennett's respected reputation as an appraiser.

Mr. Clark stated that the contract contains a two-week cancellation notice and further stated that Mr. Bennett is working on several projects at the present time and, if the contract would be terminated at this time, then he would have to assign a new man to handle these projects.

After discussion, Mr. Pyndus withdrew his motion to postpone this Ordinance and instead moved to amend this Ordinance to read for a six-month period. Mrs. Dutmer seconded the motion.

Mr. Eureste spoke against the motion.

On roll call, the motion to amend the main motion carried by the following vote: AYES: Dutmer, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: Wing, Eureste; ABSTAIN: Ortiz; ABSENT: Cisneros, Webb.

On roll call, the motion to approve the Ordinance prevailed by the following vote: AYES: Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb.

In response to Councilman Ortiz as to how many similar type arrangements that the City has at the present time, City Manager Huebner stated he knew of no others but will present Council with a report.

77-41

MANDATORY RETIREMENT AGE

Mrs. Dutmer said that Bexar County and other governmental entities, including the Federal government, have been taking another look at Civil Service requirements for mandatory retirement. She asked that the Council instruct the Civil Service Commission to review the City's mandatory retirement rules and to either reconfirm them to the City Council or make recommendations for changes for the Council to consider.

77-41

The Clerk read the following Ordinance:

AN ORDINANCE 48,319

ACCEPTING THE PROPOSAL OF ED YARDANG &
ASSOCIATES FOR THE ADVERTISING PROGRAM OF
THE SAN ANTONIO CONVENTION AND VISITORS
BUREAU FOR A TWO YEAR PERIOD COMMENCING
AUGUST 1, 1977.

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Councilman Eureste asked for an explanation of how the award to Yardang and Associates was made.

Mayor Cockrell said that invitations had been submitted to all of the advertising agencies in the City and that six companies had express a desire to make a presentation. Out of these six, five actually then made a presentation and out of that, the recommendation was that Yardang be accepted.

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After consideration, on motion of Mr. Steen, seconded by Mr. Alderete, the Ordinance was passed and approved by the following vote: AYES: Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb.

77-41 The Clerk read a proposed Ordinance authorizing the City Manager to execute an agreement with the State Department of Highways and Public Transportation permitting the City to use the area under I. H. 35 between San Fernando and Guadalupe Streets as a motor vehicle and bicycle storage facility.

Mrs. Dutmer moved approval of the Ordinance. Mr. Pyndus seconded the motion.

Mr. Hartman asked Mr. Stewart Fischer, Director of Traffic and Transportation, if permission to utilize the space under I. H. 35 south of Dolorosa for additional parking was ever obtained. Mr. Fischer explained that the process of paving the area under expressways was halted about a year and a half ago because of the financial situation on the part of the State. Since then, a new bill has been passed and the procedure will resume. He explained that this particular Ordinance does not involve state funds. He also explained that the new State law permits the City as the operating agency to charge a fee; however, this charge may be only what is needed to pay for the City's costs.

Councilmen Wing and Ortiz expressed concern about this area turning into a junkyard.

Mr. Fischer stated that the specifications are very precise. The City will erect a screen fence and long-term storage will not be permitted.

Mr. Ortiz stated that several citizens have expressed their concern over this project and stated he would like more time in order to review the plans. He asked that this item be pulled so that he may have this opportunity. Mr. Euredted seconded the motion.

Council concurred with Mr. Ortiz' request and the Ordinance was postponed.

77-41 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Eureste, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Dutmer, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Wing, Hartman.

AN ORDINANCE 48,320

EXTENDING THE RIGHT OF THE TEXAS TRANSPORTATION COMPANY TO OPERATE A RAILWAY LINE OVER CERTAIN STREETS UNTIL AUGUST 31, 1987.

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77-41 The Clerk read the following Ordinance:

AN ORDINANCE 48,321

AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO CONTINUE THE ENERGY CONSERVATION PROGRAM.

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Mr. Steen moved to approve the Ordinance. Mr. Eureste seconded the motion.

Mr. Pyndus spoke against the Ordinance saying that he was opposed to spending another \$150,000 of the taxpayers' money on this program which, in his opinion, appeared to be fruitless. He asked for an evaluation of the project.

Mr. Stewart Fischer, Director of Traffic and Transportation, said that it is very difficult to really evaluate the program because its goal is long range and a whole lot of effort is toward teenage drivers and trying to teach them good driving habits. He said that he did feel that good progress is being made, and he stated that the project should be continued. Mr. Fischer stated that the Environmental Protection Agency also has a very strong interest in this program.

On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: Pyndus; ABSENT: Cisneros, Hartman.

77-41 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Eureste, seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Ortiz, Hartman.

AN ORDINANCE 48,322

AUTHORIZING THE CITY MANAGER TO EXECUTE THE RENEGOTIATED CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO FOR MEDICAL DIRECTION TO THE EMERGENCY MEDICAL SERVICE.

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77-41 The Clerk read a proposed ordinance authorizing the City Manager to execute a mutual cancellation agreement of the current lease with Alamo Wooden Rose, Inc.; waiving the 60-day notice of cancellation provided for in the original agreement (Ordinance No. 47956); and authorizing acceptance of \$200.00 as full payment for the consideration granted under said original lease agreement.

Mrs. Dutmer moved to approve the ordinance. Mr. Webb seconded the motion.

Mr. Pyndus said that he felt the lessee should be forced to fulfill the contract. He stated that he remembered that during the last Council, the bid procedure for concession at the International Airport was changed in favor of this lessee, and the bid was renegotiated. He said that if the lessee was allowed to cancel in this case it would be favoritism, and the Council should not do this.

Mr. John Brooks, Director of Purchasing and Central Supply, explained the bidding procedure when the Wooden Rose came before the last City Council.

Mrs. Dutmer withdrew her motion to approve. Mr. Pyndus then moved to deny the ordinance. Mr. Eureste seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Hartman.

The ordinance was denied.

77-41 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Alderete presided.

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77-41 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Steen; NAYS: None; ABSENT: Ortiz, Hartman, Cockrell.

AN ORDINANCE 48,323

AUTHORIZING THE CITY MANAGER TO SUBMIT TO THE U. S. DEPARTMENT OF LABOR A PRIME SPONSOR AGREEMENT FOR THE OPERATION OF THE EMPLOYMENT AND TRAINING PROGRAMS OF THE ALAMO MANPOWER CONSORTIUM UNDER THE PROVISIONS OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973.

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AN ORDINANCE 48,324

APPROPRIATING THE SUM OF SEVEN THOUSAND TWENTY-EIGHT AND NO/100 (\$7,028.00) DOLLARS OUT OF STREET IMPROVEMENT BONDS, 1970, PAYABLE TO THE COUNTY CLERK OF BEXAR COUNTY, TEXAS, SUBJECT TO THE ORDER OF THE NAMED DEFENDANTS IN CONDEMNATION CAUSE NO. C-1403 IN PAYMENT OF THE AWARD OF THE SPECIAL COMMISSIONERS AND FOR PAYMENT OF COURT COSTS IN SAID CAUSE FOR THE ACQUISITION OF FEE TITLE TO CERTAIN REAL PROPERTY NEEDED FOR THE NEBRASKA STREET IMPROVEMENT PROJECT.

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AN ORDINANCE 48,325

ACCEPTING THE LOW BIDS OF BLAUER MANUFACTURING COMPANY, INC. AND SUGARMAN UNIFORMS TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH THE ANNUAL CONTRACT FOR PARK RANGER UNIFORMS.

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77-41 The Clerk read a proposed ordinance accepting the low qualified bid of Wright Sports to furnish the City of San Antonio Parks and Recreation Department with recreation supplies for a net total of \$3,012.50, which was pulled at the request of the City Manager.

77-41 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Steen; NAYS: None; ABSENT: Ortiz, Hartman, Cockrell.

AN ORDINANCE 48,326

ACCEPTING THE LOW QUALIFIED BID OF SUN AIRED BAG CO., INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH CHECKING BAG RACKS FOR A TOTAL OF \$4,900.00.

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AN ORDINANCE 48,327

ACCEPTING THE LOW QUALIFIED BID OF GENERAL ELECTRIC CO. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH SIX CHANNEL UHF PORTABLE RADIOS FOR A NET TOTAL OF \$6,120.00

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AN ORDINANCE 48,328

ACCEPTING THE LOW QUALIFIED BID OF GOLTHWAITE'S OF TEXAS, INC. AND WATSON DISTRIBUTING CO., INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH THREE WHEEL UTILITY VEHICLES FOR A TOTAL OF \$9,605.21.

* * * *

AN ORDINANCE 48,329

ACCEPTING THE LOW QUALIFIED BID OF AUTOMATIC PUMP AND EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH HYDOVAC OXYGENATORS FOR A TOTAL OF \$9,844.00, LESS 1% - 10 DAYS.

* * * *

AN ORDINANCE 48,330

ACCEPTING THE LOW QUALIFIED BID OF PAPE'S PECAN HOUSE TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH AN AIR BLAST SPRAYER FOR A TOTAL OF \$12,250.00, LESS 2% - 10 DAYS.

* * * *

AN ORDINANCE 48,331

ACCEPTING THE LOW QUALIFIED BIDS OF ACTION FIRE EQUIPMENT, INC., ALAMO FIRE AND SAFETY EQUIPMENT CO., FIRE APPLIANCE CO. OF TEXAS, FIRE FOX CORP., FIRE PROTECTION SERVICE AND WESTERN FIRE EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE-FIGHTING EQUIPMENT FOR A TOTAL OF \$15,334.70.

* * * *

AN ORDINANCE 48,332

ACCEPTING THE LOW QUALIFIED BID OF R. D. SAVAGE COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE HOSE FOR A NET TOTAL OF \$22,380.00.

* * * *

77-41 Mayor Cockrell returned to the meeting and presided.

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AN ORDINANCE 48,333

ACCEPTING THE LOW QUALIFIED BID OF GIRARD MACHINERY AND SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH STREET SWEEPERS FOR A TOTAL OF \$118,869.00, LESS 2% - 10 DAYS.

* * * *

Mr. Pyndus moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

In response to Mr. Webb, Mr. John Brooks, Director of Purchasing and Central Supply, explained that these are all additional sweepers with the exception of one, which is a vacuum sweeper to be used for streets over the Aquifer.

In response to Mr. Eureste's question, City Manager Huebner stated that there is a regular schedule of sweeping streets. He stated he will ask the Director of Public Works to advise the Council of the schedule.

Mrs. Minnie Aleman spoke to the Council stating that the streets in the Edgewood area are never cleaned.

In response to Mr. Eureste's question, Mr. Joe Madison, Executive Assistant to the City Manager, explained that the reason only curbed streets are swept is because the purpose is to clean the gutters along the curb.

Mr. Brooks stated the primary function of the sweepers is to clean the downtown area.

After consideration, the motion to approve the Ordinance prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

77-41 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 48,334

CONTINUING THE SAN ANTONIO CENTRO 21 TASK FORCE FOR AN ADDITIONAL ONE YEAR PERIOD.

* * * *

77-41 The Clerk read the following Ordinance:

AN ORDINANCE 48,335

AUTHORIZING EXECUTION OF AN AGREEMENT WITH LOCAL 624, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, IN SETTLEMENT OF LITIGATION RELATIVE TO THE 1976-77 FIREFIGHTER'S LABOR CONTRACT.

* * * *

Mr. Pyndus moved to approve the Ordinance. Mr. Webb seconded the motion.

Mayor Cockrell stated that Mr. Harvey Hardy, Attorney for the Fire and Police Pension Fund, had stated that as a result of the City's settlement with the Firefighters, the City properly owes an additional payment to the Pension Fund.

City Attorney Parker stated that Mr. Crawford Reeder, Assistant City Attorney, had written a legal opinion on this matter. Mr. Reeder has based his opinion on the fact that it is a settlement based on litigation and not an ordinary wage increase.

Mayor Pro-Tem Alderete stated that he has spoken to Mr. Hardy and asked that the Ordinance be postponed until more review is given this item.

Assistant City Attorney Reeder then spoke to the Council regarding this matter, and reiterated his legal opinion on this matter.

On roll call, the motion to approve the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

77-41 The meeting was recessed at 3:45 P. M. and reconvened at 4:00 P. M.

77-41

CITIZENS TO BE HEARD

MR. JOHN F. CARSSOW

Mr. John F. Carssow, 3805 Mockingbird Lane in Dallas, Texas, demonstrated the purification of water by running it through limestone. He also submitted a prepared statement to the Council on this matter. (A copy of his statement is filed with the papers of this meeting.)

MR. PATRICK SEMELSBERGER

Mr. Patrick Semelsberger spoke to the Council regarding a decision made by the Board of Directors at Hillside Acres. He said that they will make San Antonio an offer and if the City doesn't accept it, then a lawsuit will follow.

Mr. Bob Fisher, Administrative Assistant, reviewed the situation at Hillside Acres.

Councilman Ortiz asked that the Council direct staff to figure out some way to resolve this problem.

Mayor Cockrell directed the staff to make a concerted effort to find a solution to this problem.

MS. ESTEL JAMES

Ms. Estel James, 327 Oak Valley, spoke to the Council regarding the closing of the Main Library on Sundays. She stated that the City could cut out some other unnecessary expenses but that the library should be kept open.

Mayor Cockrell explained the reason why the library was closed on Sundays.

Mr. Ortiz mentioned that a library is planned for the Valley Hi area which will make it more convenient for area residents.

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MRS. MARGARITA ORTA

Mrs. Margarita Orta spoke in Spanish congratulating the Council members who voted against the increase in garbage fees. She also stated that before other ordinances are passed that the Council consider the citizens' welfare.

Mr. Pyndus stated that his area is more affected by the increase in property taxes and also pays more federal income taxes. He then stated that his area is not eligible for federal funds.

MRS. MINNIE ALEMAN

Mrs. Minnie Aleman, representing persons living around the Mayberry Drainage Area, said that the contractor working on this drainage project has put dirt on a park site. It is not level and is very unsightly. She asked that \$30,000 to \$35,000 be allocated for development of this park.

Mayor Cockrell asked that staff examine the request to see how much is involved, what use could be made of CETA workers, what materials would be needed, and that a report be made to the Council.

Mr. Hartman asked that the report also include long-term operating and maintenance costs.

City Manager Huebner stated that a report will be forthcoming in two weeks.

SAN ANTONIO BLUE JAYS

Mr. Delbert Driscoll stated that the San Antonio Blue Jays Softball Team will be leaving to play in a national tournament in New York. He asked for a letter from the Mayor naming them Ambassadors of Goodwill. He also asked to borrow a City and Texas flag.

Mayor Cockrell stated she will be happy to have a letter prepared.

MR. FRANK CORTEZ

Mr. Frank Cortez, KCOR, spoke of the erroneous deportation of a person to Mexico. He invited the Council to listen to his program on radio on this matter, and asked the City Council to use their influence to prevent a similar occurrence.

Council members then expressed their concern over such an incident.

77-41 The Clerk read the following letter:

July 22, 1977

Honorable Mayor and Members of the City Council
City of San Antonio, Texas

The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council.

July 20, 1977 Petition submitted by Mr. and Mrs. Hilario Villarreal, requesting permission to erect a nine foot fence at the rear of their property at 826 Serenade.

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July 21, 1977

Petition submitted by Muriel Merritt, Administrator for Laurelwood Nursing Complex, requesting permission to erect a fire escape extending four feet into the alley for property at Woodlawn and North Flores.

/s/ G. V. JACKSON, JR.
City Clerk

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There being no further business to come before the Council, the meeting was adjourned at 5:10 P. M.

A P P R O V E D

Lela Cockrell

M A Y O R

ATTEST:

G. V. Jackson, Jr.
City Clerk

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